

EXHIBIT 22

TO

DECLARATION OF

JOHN H. LASSETTER

**In Support of Defendant's Opposition to Plaintiffs' Motion
for Court-Authorized Notice Pursuant to Section 216(b) of
the Fair Labor Standards Act**

**Re: *Maya Crosby and Deneen Patton*, on behalf of themselves and all
those similarly situated *v. Stage Stores, Inc.***

Court File No. 18-cv-00503

DECLARATION OF MARIA ROQUE

I, Maria Roque, do hereby swear, affirm and attest as follows, based upon my personal knowledge of the matters contained herein:

1. I am an adult over eighteen (18) years of age and a resident of the state of Texas. I have personal knowledge of and am competent to testify regarding the facts set forth in this Declaration.

2. I give this Declaration voluntarily and of my own free will. I have not been promised any benefits, coerced or threatened in any manner in exchange for the testimony in this Declaration. Before signing this Declaration, I reviewed it completely for accuracy and made any changes that were necessary to ensure it is accurate.

3. I understand that this Declaration may be used for any purpose permitted by law. I further understand that this Declaration may be used in a manner that adversely affects my ability to participate in any future lawsuit brought against my employer, Specialty Retailers, Inc. ("Stage"), on behalf of Assistant Store Managers related to compensation and any claims may have against Stage relating to my compensation.

4. I am currently employed with Stage as an Assistant Store Manager in Houston, Texas located at 726 Meyerland Plaza. I began working as an Assistant Store Manager for Stage on or about January 9, 2012, then I left briefly in 2013. I returned as an Assistant Store Manager with Stage in May 2014.

5. My current Store Manager is Karen MacKay and my current District Manager is Jesse Nemons. I have also worked for the following additional Store Managers during the time I have been employed as an Assistant Store Managers with Stage: Mary Lewis, Javier Lopez, a Mr. Joseph, and others whose names I don't recall. I have also worked for other District

Managers during the time I have employed as an Assistant Store Managers with Stage whose names I don't recall.

6. As an Assistant Store Manager, I have always reported directly to the Store Manager and indirectly to the District Manager.

7. As an Assistant Store Manager I am paid on an hourly basis at an hourly rate of \$13.01 per hour.

8. My work schedule is set from week to week. I typically work 5 days per week. On the days that I work, I usually work 8-hour shifts, resulting in an average of about 40 hours per week.

9. I am aware that Stage maintains strict policies requiring all employees to accurately record their work hours by clocking in and clocking out using an electronic system. I understand that Stage's policies strictly prohibit managers, including District Managers, Store Managers, and Assistant Store Managers, from instructing or encouraging any employee from performing work off-the-clock or knowingly allowing employees to work off-the-clock. If a manager becomes aware of an employee performing off-the-clock, the manager should work with that employee to ensure that all of the employee's working time is appropriately recorded as working time. I further understand that managers who violate these policies will be subject to discipline, up to and including termination.

10. I am also aware that Stage strictly prohibits any manager, including District Managers, Store Managers or Assistant Store Managers from adjusting any employee's time punches, except to enter a forgotten time punch or to correct a discrepancy between a time punch and the time that an employee started or stopped working. I understand that managers must inform employees of any such adjustments to their time punches and explain the reasons for any

changes. I further understand that managers who violate this policy will be subject to discipline, up to and including termination.

11. In or around January 2017, I underwent detailed training regarding Stage's timekeeping policies along with other members of my Store's management team, which included a roughly 30-minute overview of the document entitled "KEEPING ACCURATE TIME RECORDS: What every manager needs to know," a true and correct copy of which is attached as **Exhibit A**. I have also received reminders of this policy in the Daily Planner.

12. I am unaware of any member of Stage's management, including any of my current or former District Managers or Store Managers, adjusting my time punches without my knowledge, or, in particular, reducing my reported work hours at any time. To my knowledge, this has never happened.

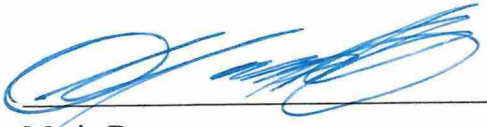
13. No member of Stage's management, including any of my current or former District Managers or Store Managers, has ever instructed me or encouraged me to perform any work off-the-clock or knowingly allowed me to work off-the-clock. I have always recorded all of my work time and Stage has always paid me for all of my work time. At the end of each week, I confirm that all of my time is correct in the timekeeping report and it has always been correct. Whenever I have worked more than 40 hours in a workweek, Stage has paid me overtime at a rate of one and one half times my regular hourly rate.

14. I am further unaware of any member of Stage's management, including any of my current or former District Managers or Store Managers, reducing any other employee's (including any Assistant Store Manager's) reported work hours, encouraging or instructing any employee (including any Assistant Store Manager) to work off-the-clock or knowingly allowing any other employee (including any Assistant Store Manager) to perform work off-the-clock.

15. To my knowledge, my current and former District Managers and Store Managers have always followed Stage's time-keeping policies described in **Exhibit A**, and I have always done the same.

I VERIFY UNDER PENALTY OF PERJURY THAT THE FORGOING IS TRUE AND CORRECT.

Executed in Houston, Texas on this 30th day of November, 2017.



Maria Roque

EXHIBIT A

KEEPING ACCURATE TIME RECORDS

What every manager needs to know



KEEPING ACCURATE TIME RECORDS

WHY IS IT IMPORTANT TO KEEP ACCURATE TIME RECORDS?

IT IS THE RIGHT THING TO DO.

- When someone spends their time performing work for Stage, they should be compensated for it. Changing an hourly Associate's time so that they are not paid for work they performed is the same as stealing from that Associate.

IT IS THE LAW.

- Federal, state and local laws all require employers to keep accurate and complete time records for hourly employees. As a Manager, you represent Stage, and your failure to ensure that hourly Associates' time records are complete and accurate can subject Stage and you, personally, to serious legal consequences.

IT IS STAGE'S POLICY.

- The Stage Stores Code of Ethics and Business Conduct specifically prohibits falsification of, or tampering with, any Stage-related records or documents, including time records.

TIMEKEEPING EXPECTATIONS FOR ASSOCIATES

Associates, including Store Managers, must use their own ID number to

- clock in when they arrive at work or return from a meal break and
- clock out when they leave work for a meal break or at the end of their work day.

Associates may face disciplinary action if they:

- consistently fail to clock in/out;
- clock in/out at improper times;
- otherwise knowingly record the wrong time ;
- use another associate's ID number to clock in/out; or
- allow someone else to use their Associate number to clock in/out.

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KEEPING ACCURATE TIME RECORDS

TIMEKEEPING EXPECTATIONS FOR MANAGERS

Managers must ensure that Associates' time punches accurately reflect the time that Associates worked.

This means each of the following must be accurately recorded:

- the time the Associate arrived for work,
- the time the Associate left work for any meal break,
- the time the Associate returned to work from any meal break, and
- the time the Associate stopped work for the day.

WHEN MUST A MANAGER CHANGE OR ADD AN ASSOCIATE'S TIME PUNCH?

A Manager must edit the time punches entered by an Associate:

- to correct a discrepancy between the time punch and the time that the Associate actually started or stopped working;
- to enter a forgotten time punch

The Manager must also make sure that any change is done with the Associate's knowledge.

EXAMPLE: An Associate clocks out at 7:00pm but is called back to assist a customer for 15 minutes. A Manager must change the clock-out time punch to 7:15pm and confirm the change with the Associate.

ARE THERE OTHER CIRCUMSTANCES IN WHICH A MANAGER MAY EDIT AN ASSOCIATE'S TIME RECORD?

Answer: NO!

The 2 situations in which a Manager must edit an Associate's time punches are the only legitimate reasons for editing time punches.

In other words, a Manager may edit an Associate's time punches only:

- to correct an discrepancy between the time punch and the time that the Associate actually started or stopped working;
- to enter a forgotten time punch

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KEEPING ACCURATE TIME RECORDS

WHAT IF AN ASSOCIATE DOES NOT ACTUALLY WORK AFTER HE/SHE CLOCKS IN?

Example: An Associate arrives to work at 9:55am and clocks in. She then spends the next 10 minutes away from the sales floor, chatting in the break room.

Question: May the Manager edit the Associate's time punch to 10:05am?

Answer: **NO!** This is not one of the 2 legitimate reasons for editing a time punch.

What should a Manager do instead of changing this Associate's time punch?

- Manage the Associate's performance. Let her know that she must take care of personal business before clocking in and that she must attend to her job duties after clocking in.
- Use constructive discipline for repeat offenses. For example: 2nd offense = a verbal counseling; 3rd offense = a written warning; 4th offense = a final warning that any similar infractions will result in termination.

WHAT ARE THE CONSEQUENCES FOR A MANAGER'S FAILURE TO COMPLY WITH THESE EXPECTATIONS?

Managers will face discipline, up to and including termination, in these situations:

- Editing/changing an Associate's time without their knowledge;
- Editing/changing an Associate's time other than for a legitimate reason (to correct an error, and to enter a forgotten time punch)
- entering the wrong time for any Associate, including themselves;
- asking or allowing any Associate to work "off the clock" or without pay;
- allowing any Associate to clock in or out for someone else;
- tolerating an Associate's repeated failure to clock in or out;
- any other action that violates the law or Stage's time-keeping policies.

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KEEPING ACCURATE TIME RECORDS

EXAMPLES OF IMPROPER TIME RECORD CHANGES

Example 1: A Manager takes an Associates actual hours from one week and adds the hours to the next week. This results in an Associate not being paid in the week in which it was earned, and possibly results in the Associate not receiving overtime pay.

Why? The Manager is attempting to avoid exceeding weekly payroll hours.

Consequence: Termination

Example 2: A Manager changes an Associate's actual clock in/out so that it matches the Associate's work schedule.

Why? To avoid exceeding weekly payroll hours.

Consequence: Termination

EXAMPLES OF UNLAWFUL TIME RECORD CHANGES

Example 3: A Manager asks an Associate to work while not clocked in (or knows that the Associate is working "off the clock").

Why? To stay under weekly payroll hours

Consequence: Termination

Example 4: A Manager enters or changes her own time to reflect a time she was not present and working.

Why? To give her supervisor (SM/DM) the impression that he/she arrived at work on time and is working the required hours.

Consequence: Termination.

While this will not impact the salaried Store Manager's pay, it is a falsification of a time record.

MEAL BREAKS - Unless state law requires otherwise, Stage provides:

- a 60-minute, unpaid meal break when the Associate is scheduled to work more than 6 hours
- Meal breaks are unpaid.
- Managers will ensure that Associates take their meal break as near as possible to the middle of the Associate's shift.
- Associates are to take their meal breaks in a timely manner and within their shift.
- Managers are to counsel Associates who fail to clock in/out for their meal break.
- ASK YOUR REGIONAL HUMAN RESOURCES MANAGER IF YOU HAVE QUESTIONS OR CONCERNS.

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KEEPING ACCURATE TIME RECORDS

BEST PRACTICES / NEXT STEPS

- Never allow Assistant Managers to use another AM's or SM's credentials (password) to make changes to Associate's time.
- Don't allow anyone to change their own time. First offense is probable termination. Always request another Manager to modify your punch to correct an error.
- Review Weekly Time Card Edit Report for clock-ins/outs that appear suspicious. The modified punch will be identified with a 'C' next to the time.
- DMs receive and review the Weekly Time Card Edit Report and will follow up with SM for an explanation for each 'C' on the Report. An additional Report that shows original clock-ins/outs may be monitored by HRBP, AP, and Payroll.
- If you are aware of any violations of our Timekeeping Standards, Store Managers and Assistant Managers are obligated to report timekeeping violations by either reporting them to your DM, Regional HR Manager or calling the anonymous Alert Line.
- Review these expectations with your Assistant Managers and Sr.ASM.
- Acknowledge your understanding and agreement to abide by our Timekeeping Standards in myStage.

